IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

OP.No. 1359 of 2000(S)

PETITIONER:

AMBROSE SURENDRAN, T.C. 18/976 (1), ARAMADA P.O., TRIVANDRUM.

(PARTY IN PERSON)

RESPONDENTS:

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1. STATE OF KERALA, REP. BY THE CHIEF SECRETARY,
GOVT. SECRETARIAT, TVM.

2. UNION OF INDIA, REP. BY THE SECRETARY, MINISTRY OF SOCIAL JUSTICE
AND EMPLOYMENT, SHASTRI BHAVAN, NEW DELHI,.

R1 BY GOVERNMENT PLEADER SRI K.V. MANOJ
SRI.M.V.RAMACHANDRAN THAMPI,ADDL.CGSC

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. Ramachandran Nair, J.

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O.P.NO.1359 of 2000-S

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Dated this the 31st day of July, 2007

JUDGMENT

In this original petition, the complaint is regarding the delay in granting appointment to the petitioner who was an applicant for a Group D post. The petitioner is a physically handicapped person. He is totally blind. His wife also was unemployed and he was finding it difficult to pull on because of absence of any regular employment.

2. The respondents have filed statements. In the statements various details have been shown about the steps taken to comply with the provisions of Persons with Disabilities Act, 1995. It is stated that the selection procedure is being done by a committee headed by the District Collector in each district. It is also stated that the case of the petitioner can be considered only in accordance with the provisions of Persons with Disabilities Act, 1995.

3. On behalf of the National Institute for the Visually Handicapped, a statement has been filed. Along with a memo dated 20.5.2000, the Government Pleader has produced a letter dated 18.4.2000 addressed to the Advocate General, Ernakulam. As regards the complaint of the petitioner

that he was not being given any appointment to Group D vacancies, it is stated that applications were invited by the NIVH to conduct Special Recruitment Drive by giving advertisements in leading newspapers and 610 candidates were selected. Initially, the validity of the panel was for 2 years from July 1995 which was extended from time to time upto December 1999. It is also stated that the petitioner was selected and was placed at rank No.35 in the list of 229 candidates in the South Zone and on the basis of the vacancies reported by National Textiles Corporation, the name of the petitioner was sent to that Corporation on 6.3.1996. His name was also sponsored by the Government of Kerala for appointment against the identified vacancies of Group D (VH).

3. In view of the above, it is clear that actions have been taken for redressing the grievance of the petitioner. It is not clear whether the petitioner has secured a job still. Since the District Collector is the authority under the Persons With Disabilities Act, 1995, there will be a direction to see that the complaint of the petitioner as regards his non-employment is considered and suitable action taken in the matter consistent with the loadable object of the provisions of the Act, if the petitioner has not secured any employment so far.

The Original Petition is disposed of in the above terms. No costs.

(T.R. Ramachandran Nair, Judge.)

kav/ **T.R. Ramachandran Nair, J.**

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O.P.NO.1359 of 2000-S

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JUDGMENT

31st day of July, 2007